

06/26/01
j1042 U.S. PTO



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06/26/01
j1036 U.S. PTO
09/093124

June 22, 2001

The Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Enclosed herewith is a continuation application from Application Serial No. 09/323,215, filed June 1, 1999 for a U.S. Patent entitled "IMPROVED APPARATUS AND METHOD FOR THE REMEDIATION OF PARTICULATE MATERIAL AND TOXIC POLLUTANTS IN TRANSIT FLUE GAS." The applicant is Richard A. Steinke.

The original application was filed on June 1, 1999, Serial No. 09/923,215, naming the present inventor Richard A. Steinke and Robert W. Hood as joint inventors. With, however, the revision of the present CIP application for clarity and to limit the claims to overcome the cited art, Mr. Hood's contribution to the invention was no longer identified with any one of the Claims of the CIP application. Accordingly, Mr. Richard A. Steinke is now properly listed as the sole inventor.

A Final Patent Office Action dated February 23, 2001, was issued that this CIP application filing is responsive to. Accordingly, here included with the CIP application is a Petition to Extend the Time Period for Response for one (1) month, as well as the required extension fee in the amount of \$55.00 for a Small Entity which the present CIP application still qualifies as.

Applicant here submits new formal drawings for inclusion in this case. Applicant here requests that the patents set out on Forms PTO-1449 Submissions by applicant and those discovered and cited by the Examiner in the prosecution of the parent application, Serial No. 09/323,215 be transferred to the present CIP application.

Applicant here submits new Declaration for Utility or Design Patent Application and Power of Attorney signed by the applicant inventor.

Applicant stipulates that the parent application was subject to an Election/Restriction requirement where applicants elected to prosecute Claims 1-12 drawn to an apparatus, cancelling Claims 13-22 drawn to a method subject to filing these Claims 13-22 in a new Divisional application. Accordingly, applicant here Elects to prosecute Claims 1-12 as here included in this CIP application and cancels Claims 13-22 subject to a filing of a Divisional application on Claims 13-22 with or prior to payment of the Issue Fee on the present CIP application or before Abandonment thereof.

The application includes items as follows:

1. Petition.
2. Specification, Claims and Abstract (21 pages)
(Claims: 2 independent, 22 dependent).
3. Three (3) sheets of patent drawings.
4. Declaration for Utility or Design Patent Application signed by the sole inventor.
5. Power of Attorney signed by the sole inventor or the present CIP Application.
6. A Petition to Extend the Time Period for Response to the Final Office Action from May 23, 2001 to June 23, 2001 and fee is the amount of \$55.00.
7. Check number 1081 is here included for \$410.00 to cover the basic patent application filing fee for a small entity of \$355.00 for a Small Entity and the Petition Fee of \$55.00 for a one-month extension.

Respectfully,



M. Reid Russell
Attorney for Applicant

MRR/tr
Enclosures
Docket No. 7455-CIP.



Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Prior Application Number	09/323,215
Filing Date	June 1, 1999
First Named Inventor	Richard A. Steinke
Group Art Unit	1764
Examiner Name	Ridley, B.
Total Number of Pages in This Submission	35
Attorney Docket Number	7455 CIP

Total Number of Pages in This Submission

35

Attorney Docket Number

7455 CIP

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> New CIP Patent Application.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	M. Reid Russell
Signature	
Date	June 22, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

06/22/10

Typed or printed name	M. Reid Russell
Signature	
Date	June 22, 2001

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 410.00)

Complete if Known

Application Number	09/323,215
Filing Date	June 1, 1999
First Named Inventor	Richard A. Steinke
Examiner Name	Ridley, Bassia
Group Art Unit	1764
Attorney Docket No.	7455CIP

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	
Deposit Account Name	

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

 Applicant claims small entity status See 37 CFR 1.27
2. Payment Enclosed:
 Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	710	201 355 Utility filing fee	355.00
106	320	206 160 Design filing fee	
107	490	207 245 Plant filing fee	
108	710	208 355 Reissue filing fee	
114	150	214 75 Provisional filing fee	

SUBTOTAL (1) (\$ 355.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20* =	X	
Multiple Dependent	- 3** =	X	

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	80	202 40 Independent claims in excess of 3
104	270	204 135 Multiple dependent claim, if not paid
109	80	209 40 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

*For number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

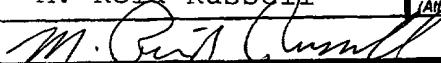
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	\$ 55.00
115	110	215 55 Extension for reply within first month	
116	390	216 195 Extension for reply within second month	
117	890	217 445 Extension for reply within third month	
118	1,390	218 695 Extension for reply within fourth month	
128	1,890	228 945 Extension for reply within fifth month	
119	310	219 155 Notice of Appeal	
120	310	220 155 Filing a brief in support of an appeal	
121	270	221 135 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,240	241 620 Petition to revive - unintentional	
142	1,240	242 620 Utility issue fee (or reissue)	
143	440	243 220 Design issue fee	
144	600	244 300 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Processing fee under 37 CFR 1.17(q)	
126	180	126 180 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	710	246 355 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249 355 For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279 355 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 55.00)

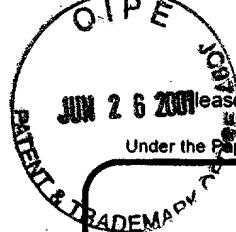
SUBMITTED BY

Name (Print/Type)	M. Reid Russell	Registration No. (Attorney/Agent)	26,226	Telephone	(435) 674-5739	
Signature					Date	June 22, 2001

Complete if applicable

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PTO/SB/122 (10-00)

Approved for use through 10/31/2002. OMB 0651-0035

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CHANGE OF CORRESPONDENCE ADDRESS *Application*

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Application Number	09/323,215
Filing Date	June 1, 1999
First Named Inventor	Richard A. Steinke
Group Art Unit	1764
Examiner Name	Ridley, B.
Attorney Docket Number	7455

Please change the Correspondence Address for the above-identified application to:

Customer Number

Type Customer Number here

Place Customer
Number Bar Code
Label here

OR

Firm or
Individual Name

M. Reid Russell

Address

1240 East 100 South, # 10

Address

City

St. George

State

Utah

ZIP

84790

Country

United States

Telephone

(435) 674-5739

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(435) 635-3016

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I am the :

- Applicant/Inventor.
- Assignee of record of the entire interest.
- Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- Attorney or Agent of record.
- Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____

Typed or Printed
Name

M. Reid Russell--Registration No: 26,226

Signature

Date

June 21, 2001

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of 1 forms are submitted.

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**"FEE ADDRESS" INDICATION FORM**

Address to:
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Box M. Fee
Washington, D.C. 20231

Please recognize as the "Fee Address" under the provisions of 37 CFR 1.363 the following address

Customer Number →
OR
 Request for Customer Number (PTO/SB/125) attached hereto

OR

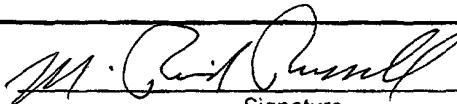
<input checked="" type="checkbox"/> Firm or Individual Name	M. Reid Russell				
Address	1240 East 100 South, #10				
Address					
City	St. George	State	Utah	Zip	84790
Country	United States				
Telephone	(435) 674-5739	Fax	(435) 635-3016		

in the following listed application(s) for which the Issue Fee has been paid or patent(s).

PATENT NUMBER (if known)	APPLICATION NUMBER
	Parent Application 09/323,215

(check one)

Applicant/Inventor



Signature

Attorney or Agent of record 26,226
(Reg. No.)

M. Reid Russell
Typed or printed name

Assignee of record of the entire interest. See
37 CFR 3.71. Statement under 37 CFR 3.73(b)
is enclosed. (Form PTO/SB/96)

(435) 674-5739

Customer's telephone number

Assignment recorded at Reel Frame June 21, 2001
Date

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multiple forms if more than one signature is required, see below.

*Total of forms are submitted.

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